

ORDINANCE NO. 2015-02

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE SEDONA LAND DEVELOPMENT CODE, ARTICLE 9, SECTION 918 (ACCESSORY DWELLING UNITS) BY DELETING SUBSECTION 918.13 (SUNSET CLAUSE) IN ITS ENTIRETY; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES OR ANY PART OF THE SEDONA LAND DEVELOPMENT CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, AS FOLLOWS:

Section 1. Deletion

Article 9, Section 918 (Accessory Dwelling Units), of the Sedona Land Development Code, is hereby amended by deleting Subsection 918.13 (Sunset Clause) in its entirety.

Section 2. Emergency

In that the sunset provisions of subsection 918.13 of the Sedona Land Development Code would cause the entire Section 918 (Accessory Dwelling Units) to expire on February 11, 2015, five years from its original effective date, it is necessary, pursuant to A.R.S. § 19-142.B, for the immediate preservation of the peace, health or safety of the city, that this ordinance be passed as an emergency measure to be effective this date.

Section 3. Repeal

All ordinances or parts of ordinances or any part of the Sedona Land Development Code in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

Section 4. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof would be declared invalid or unconstitutional.

Section 5. Penalty

Except as otherwise provided, any person found guilty of violating any provision of the Code of the City of Sedona, Arizona, and any amendment thereto, or any order or regulation made therein, including the failure to perform any act or duty so required, shall be guilty of a Class 1 misdemeanor, and, upon conviction, shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00), or by imprisonment for a period not to exceed six

(6) months, or by both fine and imprisonment. Each day that any violation continues shall be a separate offense punishable as above described or by civil sanction.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona, this 10th day of February, 2015, by the affirmative vote of three-fourths of all the members elected to the City Council, taken by ayes and nays, and also approved by the Mayor.


Sandra J. Moriarty, Mayor

ATTEST:


Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:


Mike Goimarac, City Attorney